

1
2
3
4
5
6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 MARINA GARDENS – BDS, LLC, a
9 Nevada Limited Liability Company; MARINA
10 GARDENS – RAF, a Nevada Limited
Liability Company,

11 Plaintiff,

12 vs.

13 HOUSTON SPECIALTY INSURANCE
14 COMPANY, a Texas Corporation; ENGLE
15 MARTIN & ASSOCIATES, LLC, a Georgia
16 Limited Liability Company; DOES 1-XXX;
And ABC CORPORATIONS A-Z; inclusive,
17 Defendants.

CASE #3:19-cv-00048

**VERIFIED PETITION FOR
PERMISSION TO PRACTICE IN
THIS CASE ONLY BY ATTORNEY
NOT ADMITTED TO THE BAR OF
THIS COURT AND DESIGNATION
OF LOCAL COUNSEL**

FILING FEE IS \$250.00

18 Matthew A. Foytlin, Petitioner, respectfully represents to the Court:

19
20 1. That Petitioner is an attorney at law and a shareholder of the law firm of Winstead
21 PC with offices at 600 Travis Street, Suite 5200, Houston, Texas, 77002, (713) 650-8400,
22 mfoytlin@winstead.com.

23 2. That Petitioner has been retained personally or as a shareholder of the law firm by
24 Defendant Houston Specialty Insurance Company (“HSIC”) to provide legal representation in
25 connection with the above-entitled case now pending before this Court.
26

27 3. That since April 18, 2008, Petitioner has been and presently is a member in good
28 standing of the bar of the highest Court of the State of Texas where Petitioner regularly practices
law. Petitioner shall attach a certificate from the state bar or from the clerk of the supreme court

C
1 or highest admitting court of each state, territory, or insular possession of the United States in
2 which the applicant has been admitted to practice law certifying the applicant's membership
3 therein is in good standing.

4 4. That Petitioner was admitted to practice before the following United States
5 District Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States
6 and Courts of other States on the dates indicated for each, and that Petitioner is presently a
7 member in good standing of the bars of said Courts.
8

9 <u>Court</u>	<u>Date Admitted</u>	<u>Bar Number</u>
10 Massachusetts State Bar	12-16-2002	655253
11 U.S. District Court, Northern District of Texas	8-2-2010	
12 U.S. District Court Southern District of Texas	2-5-2009	
13 U.S. District Court Eastern District of Texas	2-7-2011	
14 U.S. District Court Western District of Texas	3-24-2011	
15 U.S. District Court, District of Massachusetts	5-29-2003	
16 U.S. District Court, Western District of Oklahoma	8-10-2017	
17 U.S. Court of Appeals, First Circuit	9-19-2013	
18 U.S. Court of Appeals, Fifth Circuit	9-24-2013	

19 5. That there are or have been no disciplinary proceedings instituted against
20 petitioner, nor any suspension of any license, certificate or privilege to appear before any
21 judicial, regulatory or administrative body, or any resignation or termination in order to avoid
22 disciplinary or disbarment proceedings, except as described in detail below: None.
23

24 6. That Petitioner has never been denied admission to the State Bar of Nevada.
25 (Give particulars if ever denied admission): None.
26
27
28

1 7. That Petitioner is a member of good standing in the following Bar Associations:
2 Texas and Massachusetts.

3 8. Petitioner has filed application to appear as counsel under Local Rule IA 11-2
4 (formerly LR IA 10-2) during the past three (3) years in the following matters: None.

5 9. Petitioner consents to the jurisdiction of the courts and disciplinary boards of the
6 State of Nevada with respect to the law of this state governing the conduct of attorneys to the
7 same extent as a member of the State Bar of Nevada.

8 10. Petitioner agrees to comply with the standards of professional conduct required of
9 the members of the bar of this court.

10 11. Petitioner has disclosed in writing to the client that the applicant is not admitted to
11 practice in this jurisdiction and that the client has consented to such representation.

12 That Petitioner respectfully prays that Petitioner be admitted to practice before this Court
13 FOR THE PURPOSES OF THIS CASE ONLY.

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28


MATTHEW A. FOYTLIN

1 STATE OF TEXAS §

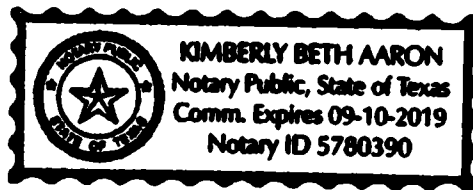
2 COUNTY OF HARRIS §

3 MATTHEW A. FOYTLIN, Petitioner, being first duly sworn, deposes and says: That the
4 foregoing statements are true.

5 
6 MATTHEW A. FOYTLIN

7
8 Subscribed and sworn to before me this 26th day of March, 2019.

9
10 Kimberly Beth Aaron
11 Notary Public or Clerk of Court



1 **DESIGNATION OF RESIDENT ATTORNEY ADMITTED TO**
2 **THE BAR OF THIS COURT AND CONSENT THERETO**

3 Pursuant to the requirements of the Local Rules of Practice for this Court, the Petitioner
4 believes it to be in the best interests of the client(s) to designate Katherine F. Parks, Attorney at
5 Law, member of the State of Nevada and previously admitted to practice before the above-
6 entitled Court as associate resident counsel in this action. The address and email address of said
7 designated Nevada counsel is: Thorndal Armstrong Delk Balkenbush & Eisinger, 6590 S.
8 McCarran Blvd., Suite B, Reno, Nevada, 89509, (775) 786-2882, KFP@thorndal.com. By this
9 designation the petitioner and undersigned party(ies) agree that this designation constitutes
10 agreement and authorization for the designated resident admitted counsel to sign stipulations
11 binding on all of us.
12
13
14

15 **APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL**

16 The undersigned party appoints Katherine F. Parks as its Designated Resident Nevada
17 Counsel in this case.

18 Houston Specialty Insurance Company

19 By: Tim Drake

20 Name: Tim Drake

21 Title: VP State Underwriting Managers

22 MGA for HSIC
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CONSENT OF DESIGNEE


The undersigned hereby consents to serve as associate resident Nevada counsel in this case.

/ s / Katherine F. Parks
Designated Resident Nevada Counsel's signature

Bar number: 6227

Email address: KFP@thorndal.com

APPROVED:
DATED this 29th day of March, 2019.


LARRY R. HICKS
UNITED STATES DISTRICT JUDGE

The Supreme Court of Texas

AUSTIN

CLERK'S OFFICE

I, **BLAKE HAWTHORNE**, Clerk of the Supreme Court of Texas, certify that the records of this office show that

Matthew Allen Foytlin

was duly admitted and licensed as an attorney and counselor at law by the Supreme Court of Texas on the 18th day of April, 2008.

I further certify that the records of this office show that, as of this date

Matthew Allen Foytlin

is presently enrolled with the State Bar of Texas as an active member in good standing.

IN TESTIMONY WHEREOF witness my signature



and the seal of the Supreme Court of
Texas at the City of Austin, this, the
26th day of February, 2019.

BLAKE HAWTHORNE, Clerk

Blake A. Hawthorne
Clerk, Supreme Court of Texas

No. 5341C.1